

**UNITED STATES DISTRICT COURT**

## **EASTERN DISTRICT OF TEXAS**

## CARL MACK BURFORD,

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Plaintiff,

*versus*

CIVIL ACTION NO. 1:07-CV-178

TEXAS DEPARTMENT OF CRIMINAL  
JUSTICE, CORRECTIONAL  
INSTITUTIONS DIVISION, ET AL.

## Defendants.

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Carl Mack Burford, a former prisoner, proceeding *pro se* and *in forma pauperis*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against the Texas Department of Criminal Justice, Correctional Institutions Division; Warden Reginald Goings; and Assistant Warden Dawn Williamson.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends dismissing the case without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 3rd day of June, 2008.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE